

Regional Water Quality Control Board Central Valley Region



Waiver Application & Certification

(Conditional Waiver for Timber Harvest Activities on US Forest Service Lands)

Please type or print clearly in ink (see instructions for completion)

National Forest:

Ranger District:

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Timber Harvest Activities Information:

Project Name:		
Project Location (County; Planning Watershed; CALWATER Version, Identification Number, and Name; Base and Meridian, Section, Township and Range):		
Project Size (approx. acres):	Waterbodies affected:	
Project Description (attach additional pages if needed):		
Contact Person:	Phone:	Email:
Supervisor:	Phone:	E-mail:

Regional Water Quality Control Board, Central Valley Region
Conditional Waiver for Timber Harvest Activities on US Forest Service Lands



National Forest:

Ranger District:

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Project Name:

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Post-Project Certification (complete and submit after project completion):

I, the Forest Supervisor, District Ranger, or duly authorized representative, hereby certify under penalty of perjury that the above timber harvesting activities were conducted in conformance with all applicable provisions of the Central Valley Regional Water Quality Control Board's Resolution No. R5-2003-0005 including all general conditions (cited in Instructions) and the category-specific criteria and conditions (listed in Instructions), and that discharges resulting from the above activities were in compliance with and are expected to comply with all requirements of applicable water quality control plans.

Name (print or type):

Title (print or type):

Signature:

Date:

Regional Water Quality Control Board Central Valley Region



Instructions for Completing Waiver Application Form for USFS Timber Harvest Activities

The Regional Water Quality Control Board, Central Valley Region (Regional Board), on 30 January 2003, adopted Resolution No. R5-2003-0005 (Resolution) which provides for a conditional waiver of the requirement to file a report of waste discharge and obtain waste discharge requirements for timber harvest activities on U.S. Forest Service lands within the Central Valley Region. The eligibility criteria and specific conditions for obtaining a conditional waiver, as well as eligibility criteria and conditions for enrolling existing timber harvest activities are contained in Attachment A of the Resolution and are also listed below. **No fee is currently required to apply for or receive a categorical waiver from the Regional Board for timber harvest activities.**

To be eligible for coverage under this waiver category, a project must meet the definition of timber harvest activities, and must comply with all of the applicable eligibility criteria and conditions. **Projects not directly related to a specific timber harvest activity are not eligible.**

“Timber Harvest Activities” means all activities on timberland relating to timber harvesting, including the cutting or removal or both of timber and other solid wood forest products, including Christmas trees, from timberlands for commercial purposes, together with all the work incidental thereto, including, but not limited to, construction, reconstruction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, or beds for the falling of trees; fire hazard abatement; site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, but excluding preparatory treemarking, surveying or roadflagging. Also included in this definition are silvicultural activities performed by the USFS using its own crews, volunteers, inmate crews, etc., and/or service contracts, without regard to whether timber is to be sold for commercial purposes. “Commercial purposes” includes the cutting or removal of trees which are processed into logs, lumber, or other wood products and offered for sale, barter, exchange, or trade, or the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber, including but not limited to residential or commercial developments, production of other agricultural crops, recreational developments, ski developments, water development projects, and transportation projects.

Prescribed burning projects are considered to be a timber harvest activity with respect to this conditional waiver.

Eligibility Criteria:

1. USFS has conducted a multi-disciplinary review of the timber harvest proposal, including review by watershed specialists, and has specified best management practices, and additional control measures as needed, in order to assure compliance with applicable water quality control plans.
2. USFS has conducted a cumulative watershed effects (CWE) analysis and included specific measures needed to reduce the potential for CWEs in order to assure compliance with applicable water quality control plans.
3. USFS has allowed the public and other interested parties reasonable opportunity to comment on and/or challenge individual timber harvest proposals.

Conditions:

1. USFS has submitted to the Regional Board copies of final decision documents that contain information documenting compliance with the eligibility criteria above. A copy of applicable final NEPA documents was submitted upon written request by Regional Board staff.
2. USFS submitted and complied with a monitoring program prior to commencement of timber operations when: (1) USFS’s cumulative watershed effects analysis indicated that the project may cause any watershed

or sub-watershed to exceed a threshold of concern as determined by various models (i.e., Equivalent Roded Acres (ERA), Surface Erosion (USLE), Mass Wasting (GEO), etc.); or (2) the cumulative watershed effects analysis indicated that the project may increase risk values, as determined by various models (Equivalent Roded Acres (ERA), Surface Erosion (USLE), Mass Wasting (GEO), etc.), in any watershed or subwatershed that already exceeds a threshold of concern prior to project implementation. (The Executive Officer retains the discretion to waive this requirement, or to impose monitoring requirements in other situations, as appropriate.)

- 3 USFS has complied with all General Conditions specified in the Regional Board's Waiver.
4. USFS shall submit to the Regional Board, forthwith upon completion of timber harvest activities, a final certification signed by the Forest Supervisor or District Ranger or their duly authorized representative, certifying that: (1) the timber harvest activities were conducted in conformance with all applicable provisions of this waiver, and (2) discharges resulting from the timber harvest activities were in compliance and are expected to comply with all requirements of applicable water quality control plans.

Form Completion and Submittal Guidelines:

Project Description (page 1): Insert a brief narrative description of the project's intent, magnitude, methods, timing, proximity to watercourses, best management practices to be used, etc. Provide enough information for Regional Board staff to understand the type and magnitude of the project. Please identify whether any of the following exist in the project area or within one mile downstream: fish-bearing streams, domestic water supplies, wetland or aquatic habitat for rare, threatened, or endangered species. The information should be similar in detail to that typically used in a 1-2 page scoping letter. Submit completed page 1 of the form early in the planning process (i.e., during scoping). Keep a copy for your records.

In addition, copies of the project's final decision documents that contain information documenting compliance with waiver eligibility criteria, shall be submitted upon their completion. (Copies of final NEPA documents shall be submitted **only** upon written request from Regional Board staff.)

Post-Project Certification (page 2): Upon completion of the project, submit a completed copy of pages 1 and 2 of the waiver application and certification form. By signing this certification, you are certifying that the project (timber harvesting activities) has been conducted in conformance with all applicable provisions of the waiver and that resulting discharges comply with all requirements of applicable water quality control plans.

Send to:

**Regional Water Quality Control Board, Central Valley Region
Attn: USFS Timber Harvest Waiver
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670**

Please contact the following Regional Board staff if you have questions:

<u>Sacramento Office</u>	Sue McConnell Marty Hartzell	(916) 464-4798 (916) 464-4630	mcconn@rb5s.swrcb.ca.gov hartzem@rb5s.swrcb.ca.gov
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